

1 RICHARD PAREDEZ,

2 Plaintiff,

3 v.
4
5 ANTHONY HEDGPETH, warden;
6 et al.,
7 Defendants.8
9 No. C 11-3351 SI (pr)10
11 **ORDER PROVIDING SUMMARY
12 JUDGMENT NOTICE AND
13 EXTENDING DEADLINES**14
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16 A recent decision from the Ninth Circuit requires that *pro se* prisoner-plaintiffs be given
17 notice of what is required of them in order to oppose summary judgment motions at the time of
18 filing of the motions, rather than when the court orders service of process or otherwise before
19 the motions are filed. *See Woods v. Carey*, 684 F.3d 934 (9th Cir. 2012). Accordingly, the
20 Court now provides the following notice to plaintiff for his information in connection with the
21 defendants' pending motion for summary judgment:22 The defendants have made a motion for summary judgment by which they seek to have
23 your case dismissed. A motion for summary judgment under Rule 56 of the Federal
24 Rules of Civil Procedure will, if granted, end your case.25 Rule 56 tells you what you must do in order to oppose a motion for summary
26 judgment. Generally, summary judgment must be granted when there is no genuine issue
27 of material fact -- that is, if there is no real dispute about any fact that would affect the
28 result of your case, the party who asked for summary judgment is entitled to judgment
as a matter of law, which will end your case. When a party you are suing makes a motion
for summary judgment that is properly supported by declarations (or other sworn
testimony), you cannot simply rely on what your complaint says. Instead, you must set
out specific facts in declarations, depositions, answers to interrogatories, or authenticated
documents, as provided in Rule 56(e), that contradict the facts shown in the defendants'

1 declarations and documents and show that there is a genuine issue of material fact for
2 trial. If you do not submit your own evidence in opposition, summary judgment, if
3 appropriate, may be entered against you. If summary judgment is granted, your case will
4 be dismissed and there will be no trial.

5 *Rand v. Rowland*, 154 F.3d 952, 962-63 (9th Cir. 1998).

6 The court *sua sponte* extends the deadline for plaintiff to file his opposition to defendants'
7 motion for summary judgment so that he will have ample time to prepare his opposition taking
8 into account this *Rand* summary judgment notice (which repeats the *Rand* summary judgment
9 notice provided in the Order of Service).

10 1. Plaintiff must file and serve on defense counsel his opposition to the
11 dispositive motion no later than **November 2, 2012**.

12 2. Defendants must file and serve their reply brief (if any) no later than
November 19, 2012.

13 IT IS SO ORDERED.

14 Dated: September 27, 2012

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16 SUSAN ILLSTON
17 United States District Judge